

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, *et al*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al*,

Defendants.

No. 1:25-cv-11221-FDS

**[PROPOSED] PLAINTIFF-INTERVENOR ALLIANCE FOR CLEAN ENERGY
NEW YORK'S MOTION FOR PRELIMINARY INJUNCTION**

Now comes Proposed Plaintiff-Intervenor Alliance for Clean Energy New York (ACE NY), by and through its undersigned counsel, and respectfully submits this Motion for Preliminary Injunction. ACE NY seeks a preliminary injunction to, while this litigation proceeds, restrain Defendant agencies' illegal implementation or reliance on the Presidential Memorandum directing an indefinite and categorical stoppage of federal permitting for wind projects offshore and onshore nationwide.

Counsel for ACE NY has met and conferred with counsel for the parties in this matter. State Plaintiffs do not oppose this Motion. Federal Defendants oppose this Motion.

Attached to this motion are the following:

1. ACE NY Memorandum of Law in Support of Motion for Preliminary Injunction.
2. Declaration of Marguerite Wells, Executive Director of ACE NY. This declaration sets forth the irreparable harms experienced by ACE NY's members, including harms to offshore wind energy developers, onshore wind energy developers, businesses in the wind energy supply chain, and members engaged in construction of wind energy facilities.

3. Declaration of Elizabeth Burdock. This declaration is provided by the Director of the Oceanic Network, Inc, a trade association that is a member of ACE NY, with over 300 members operating in the wind energy supply chain. The declaration and its exhibits describe harms to Oceanic Network and its members associated with the permit stoppage, including economic harms of a million dollars or more for many members, job losses, and loss of substantial business opportunities.
4. Declaration of Charles A. Donadio, Jr. This declaration is provided by the head of Atlantic Wind Transfers, a business that provides vessels for use in supporting construction of offshore wind power facilities, and describes the daily economic harms to Atlantic Wind Transfers resulting from the federal permitting stoppage.
5. Declaration and Report of Kara McNutt. This declaration and the attached report by Wood Mackenzie provide an analysis of economic impacts of the federal permitting stoppage on the wind industry, including projected impacts in the form of job losses, reduced investment, and reduced wind installations.
6. Declaration and Report of Benjamin Brazell. This declaration and the attached report by EDR provide an overview of the robust permitting processes for land-based wind energy projects, the thorough environmental assessments of those projects, and the extensive measures that are applied to avoid, minimize, and mitigate environmental impacts.
7. Declaration and Report of Maria Hartnett. This declaration and the attached report by Epsilon Associates provide an overview of the robust permitting processes for offshore wind energy projects, the thorough environmental assessments of those projects, and the extensive measures that are applied to avoid, minimize, and mitigate environmental impacts.
8. Declaration of Michael Goggin. This declaration discusses the contribution of wind energy to the reliability and cost-effectiveness of the electricity grid, and concludes that wind energy is not an “intermittent” energy source but that the term is more appropriately applied to other energy sources with respect to their effect on maintaining reliability.
9. Proposed Order Granting A Preliminary Injunction.

Wherefore, and for the reasons set forth in the accompanying Memorandum, ACE NY respectfully moves that the Court issue an order granting its Motion for Preliminary Injunction.

Dated: May 12, 2025

Respectfully submitted,

BEVERIDGE & DIAMOND, P.C.

/s/ Brook J. Detterman

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed on May 12, 2025. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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